

REMARKS

Claim 9-14 and 16 stand objected to because said claims are not (original) but were presented in amendment filed March 22, 2007. Claims 9-14 and 16 are now shown to be “(previously presented)”.

Claim 11 stands objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 11 has been canceled.

Claims 4 and 7-16 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the relevant claims to address the rejections.

Regarding the disclosure, Applicant asserts that the disclosure specifically mentions examples of the functional groups that are encompassed by the limitation. (Specification, page 6, line 16 through page 7, line 3). These functional groups have now been set out in a new claim 17.

Applicant also asserts that the limitation “free of any significant amount of chloride containing compound” (original claim 6, and current claim 7) and the limitation of “substantial absence of any chloride containing compound” (original claim 1) should both be interpreted to mean the same as “*essentially free* of chloride containing compounds.” Claim 7 has been so amended. The term *essentially free* is consistent with standard and well-known claim drafting techniques and should be interpreted to mean that impurities and unintended amounts of chloride containing compounds are within the scope of the claim.

Reconsideration and withdrawal of the rejection is requested.

Claims 7, 11-13 stand rejected under 35 U.S.C. 102(e) as being anticipated by England (U.S. 6,720,290).

England (US 6,720,290) discloses well formation fracturing fluids and methods. The fracturing operations of England are performed when the well is not producing gas, and therefore England does not disclose “introducing into said well an aqueous mixture during gas production from the well to reduce liquid loading” as set out in claim 7.

In response to the Applicant’s remarks in the previous response, the examiner stated that “[s]ince both references are directed to the production of hydrocarbon liquids and gas from wells, the limitation [“during gas production”] has been interpreted as any time during production prior to completion of the well as dormant.” (Office Action of Dec. 18, 2007, page 6, para. 12). However, claim limitations should be interpreted in view of the Applicant’s specification, not on the basis of the references. Those having ordinary skill in the art at the time of the invention would understand the scope of the term “gas well” and the phrase “during gas production.”

Reconsideration and withdrawal of the rejection is requested.

Claims 4, 7, 8, 11-14 and 16 stand rejected under 35 U.S.C.(a) as being unpatentable over Qu (2002/0023752).

Like England, Qu (US Publ. 2002/0023752) discloses well formation fracturing fluids and methods that are performed when the well is not producing gas. Therefore, Qu does not disclose “introducing into said well an aqueous mixture during gas production from the well to reduce liquid loading” as set out in independent claim 7.

The examiner cites to Qu at paragraphs (0109), (0207) and (0214) as disclosing foams and alcohols. However, these foams and alcohols are components of a fracturing fluid. (Qu, para. 0109). Fracturing fluids are not used “during gas production.” Consequently, Qu makes not suggestion these fluids in accordance with the present claims.

Furthermore, the examiner draws attention to structure I of Qu at paragraph 0180, where R₆ is disclosed as an “alkylene or hydroxyalkylene group with chain length from zero to about 6, preferably from 1 to 3.” (Qu, para. 0180). However, an “alkylene” or “hydroxyl alkylene” includes an unsaturated chain, whereas the structure of Applicant’s claim 7 is clearly saturated.

Reconsideration and withdrawal of the rejection is requested.

Claims 9, 10 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Qu (2002/0023752) or England (6720290).

Since both Qu and England are directed at formation fracturing fluids and methods, there is no suggestion to introduce such fluid through a capillary string or perform such methods involving a capillary string. Formation fracturing typically involves the use of very high pressures.

Claims 9, 10 and 15 ultimately depend from claim 7 and are novel and non-obvious for at least the same reasons. Reconsideration and withdrawal of the rejection is requested.

The Commissioner has permission to charge deposit account number 50-0714/CHAM-0029 for all fees or surcharges associated with the filing of this response and any associated documents.

Respectfully submitted,

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